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JOSEPH P. RUSSONIELLO (CABN 44332)
1
     United States Attorney
2
    BRIAN J. STRETCH (CABN 163973)
3
    Chief, Criminal Division
4
    KEVIN J. BARRY (CABN 229748)
    Assistant United States Attorney
5
        450 Golden Gate Avenue, Box 36055
        San Francisco, California 94102
6
                     (415) 436-7200
        Telephone:
                     (415) 436-7234
7
        Facsimile:
        Email: kevin.barry@usdoj.gov
8
     Attorneys for Plaintiff
9
10
                              UNITED STATES DISTRICT COURT
11
                             NORTHERN DISTRICT OF CALIFORNIA
12
                                  SAN FRANCISCO DIVISION
13
     UNITED STATES OF AMERICA,
14
                                                 CR No.: 09-1068 MHP
15
             Plaintiff,
                                                 STIPULATION AND [PROPOSED]
16
        v.
                                                 ORDER EXCLUDING TIME UNDER 18
17
    NOE PARRA OROZCO,
                                                 U.S.C. § 3161
       a/k/a Onofre Avalos-Ramos,
       a/k/a Irvin Ereda Ramos.
18
       a/k/a Joel Tafolla,
       a/k/a Joel Tafolla Parra,
19
       a/k/a Julio Cesar.
       a/k/a Jorge Luis Rivera Corona,
20
21
             Defendant.
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23
           On November 23, 2009, the parties in this case appeared before the Court for a status
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    conference. At that time, the Court set a further status / change of plea hearing for December 14,
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    2009, at 10:00 a.m. The parties also agreed to exclude the period of time between November 23,
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    2009 and December 14, 2009 from any time limits applicable under 18 U.S.C. § 3161. The
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     parties represented that granting the exclusion would allow the reasonable time necessary for
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    STIPULATION & [PROPOSED] EXCLUDING TIME
    CR 09-1068 MHP
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effective preparation of counsel. See 18 U.S.C. § 3161(h)(8)(iv). The parties also agree that 1 the ends of justice served by granting such an exclusion of time outweigh the best interests of the 2 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A). At the hearing, the Court 3 made findings consistent with this agreement. 4 5 SO STIPULATED: 6 7 JOSEPH P. RUSSONIELLO 8 **United States Attorney** 9 DATED: December 7, 2009 KEVIN J. BARRY 10 Assistant United States Attorney 11 DATED: December 7, 2009 LOREN G. STEWART 12 Attorney for NOE PARRA-OROZCO 13 14 <del>[PROPOSED]</del> ORDER 15 For the reasons stated above and at the November 23, 2009 hearing, the Court finds that 16 the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from 17 November 23, 2009 through December 14, 2009 is warranted and that the ends of justice served 18 by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 19 18 U.S.C. §3161(h)(8)(A). The failure to grant the requested exclusion of time would deny 20 counsel for the defendant and for the Government the reasonable time necessary for effective 21 preparation, taking into account the exercise of due diligence, and would result in a miscarriage 22 of justice. 18 U.S.C. §3161(h)(8)(B)(iv). 23 24 IT IS SO ORDERED. 25 IT IS SO ORDERED DATED: 12/8/2009 26 TEL 27 United St Judge Marilyn H. Patel 28 STIPULATION & [PROPOSED] EXCLUDING TIME

CR 09-1068 MHP

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1	OSEPH P. RUSSONIELLO (CABN 44332) nited States Attorney			
3	BRIAN J. STRETCH (CABN 163973) Chief, Criminal Division	ef, Criminal Division VIN J. BARRY (CABN 229748)		
4	KEVIN J. BARRY (CABN 229748) Assistant United States Attorney			
5	450 Golden Gate Avenue, Box 36055 San Francisco, California 94102 Telephone: (415) 436-7200 Facsimile: (415) 436-7234 Email: kevin.barry@usdoj.gov			
6				
7				
8	Attorneys for Plaintiff			
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12	NORTHERN DISTRICT OF CALIFORNIA			
13	SAN FRANCISCO DIVISION			
14	UNITED STATES OF AMERICA,	)	CR No.: 09-1068 MHP	
15	Plaintiff,		STIPULATION AND [PROPOSED] ORDER EXCLUDING TIME UNDER 18 U.S.C. § 3161	
16	v.			
17	NOE PARRA OROZCO,	)	ATTESTATION OF FILER	
18	Defendant.	)		
19		_ /		
20				
21	In addition to myself, the other signatory to this document is <u>Loren G. Stewart</u> . I hereby			
22	attest that I have obtained her permission to file this document with her conformed signature.			
23	DATED: December 7, 2009		/s/ Kevin J. Barry	
24	2111221 2000moor 1, 2005		KEVIN J. BARRY (CABN 229748)	
25			Assistant United States Attorney 450 Golden Gate Avenue, Box 36055	
26			San Francisco, California 94102 Telephone: (415) 436-7200	
27			Facsimile: (415) 436-7234 Email: kevin.barry@usdoj.gov	
28			Eman. <u>kevin.dariy@usuoj.gov</u>	
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